

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARBORVIEW MASTER FUND, LP,

Plaintiff,

-against-

LIGHTPATH TECHNOLOGIES, INC.,  
KENNETH BRIZEL and ROBERT RIPP,

Defendants.

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CIVIL ACTION NO. 07 Civ. 9228 (NRB)

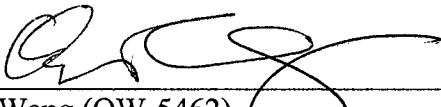
**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and accompanying Declaration of Ona T. Wang, Esq., Defendants, through their undersigned counsel, will move this Court at the United States Courthouse at 500 Pearl Street, New York, New York, on a date and time to be set by this Court, for an Order pursuant to Federal Rules of Civil Procedure 9(b) and 12(b) dismissing all claims against them in Plaintiff's Complaint.

March 28, 2008

Respectfully submitted,

**BAKER & HOSTETLER LLP**

By:   
Ona T. Wang (OW-5462)  
Benjamin D. Pergament (SDNY admission pending)  
45 Rockefeller Plaza  
New York, New York 10111  
(212) 589-4200  
(212) 589-4201 (fax)

*Attorneys for Defendants*